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Inventor Sanghvi et al.
Group Art Unit 2154
Examiner Siddiqi, Mohammad A.
Attorney's Docket No. MS1-689US
Confirmation No. 5999
Title: Method and Apparatus for Handling Policies In an Enterprise

APPEAL BRIEF

To: Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

From: Steven R. Sponseller (Tel. 509-324-9256 x250; Fax 509-323-8979)
Customer No. 22801

Pursuant to 37 C.F.R. §41.37, Appellant hereby submits an appeal brief for application 09/875,814, filed June 5, 2001, within the requisite time from the date of filing the Notice of Appeal. Accordingly, Appellant appeals to the Board of Patent Appeals and Interferences seeking review of the Examiner's rejections.

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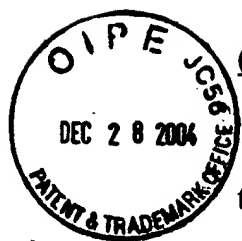
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(1) Real Party in Interest

The real party in interest is Microsoft Corporation, the assignee of all right, title and interest in and to the subject invention.

(2) Related Appeals and Interferences

Appellant is not aware of any other appeals, interferences, or judicial proceedings which will directly affect, be directly affected by, or otherwise have a bearing on the Board's decision to this pending appeal.

(3) Status of Claims

Claims 1-29 stand rejected and are pending in this Application. Claims 1-29 are appealed. Claims 1-29 are set forth in the Appendix of Appealed Claims on page 13.

(4) Status of Amendments

A Final Office Action was issued on March 31, 2004.

A Response to the Final Office Action was filed May 28, 2004. No amendments were made as part of this Response.

An Advisory Action was issued on July 15, 2004, indicating that the request for reconsideration had been considered but did not place the application in condition for allowance.

Appellant filed a Notice of Appeal on September 30, 2004 in response to the Advisory Action and the Final Office Action.

(5) Summary of Claimed Subject Matter

A concise explanation of each of the independent claims is included in this Summary section, including specific reference characters. These specific reference characters are examples of particular elements of the drawings for certain embodiments of the claimed invention, and the claims are not limited to solely the elements corresponding to these reference characters.

With respect to independent Claim 1, as discussed for example at page 14, line 22 through page 16, line 21, a method includes identifying multiple policies to be combined together (602) and determining whether any conflicts exist between the multiple policies (604). The method further includes adding non-conflicting policies to a merged policy set (606) and resolving conflicting policies by selecting a preferred policy (612) and including the preferred policy in the merged policy set.

With respect to independent Claim 14, as discussed for example at page 14, line 22 through page 16, line 21, a method includes identifying multiple policies to be combined together (602) and determining whether any conflicts exist between the multiple policies (604). The method further includes adding non-conflicting policies to a merged policy set (606). Additionally, the method arranges conflicting policies in order from global policies to local policies (608) and determines an intersection of the conflicting policies (610). A preferred policy is selected based on the policy closest to the local policies and within the intersection of the conflicting policies (612).

With respect to independent Claim 20, as discussed for example at page 8, line 11 through page 9, line 21, and page 14, lines 10 through 21, an apparatus

includes a storage device (156, 852, 856, 858 and/or 862) configured to store a merged policy set (510) and a management module (106) coupled to the storage device. The management module (106) is configured to identify multiple policies (160, 502-508 and/or 702-712) to be merged into the merged policy set (510). The management module (106) adds non-conflicting policies to the merged policy set and resolves conflicts among conflicting policies.

With respect to independent Claim 27, as discussed for example at page 14, line 22 through page 16, line 21, a computer-readable media has stored thereon a computer program that, when executed by one or more processors, causes the one or more processors to identify multiple policies to be combined together (602) in a merged policy set (510). The one or more processors further determine whether any conflicts exist between the multiple policies (604) and include non-conflicting policies (606) in the merged policy set. Conflicts between policies are resolved by selecting an allowed policy range (608 and/or 610), selecting a preferred policy range that is included in the allowed policy range (612), and including the preferred policy in the merged policy set (612).

(6) Grounds of Rejection to be Reviewed on Appeal

Claims 1-29 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,584,502 to Natarajan et al.

(7) Argument

A. Rejection under 35 U.S.C. §102(e) over U.S. Patent No. 6,584,502 to Natarajan et al.

Claims 1-29 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,584,502 to Natarajan et al. (hereinafter “Natarajan”).

1. Claims 1-13

Claim 1 recites a method comprising:

identifying multiple policies to be combined together;
determining whether any conflicts exist between the multiple policies;
adding non-conflicting policies to a merged policy set; and
resolving conflicting policies by selecting a preferred policy and including the preferred policy in the merged policy set.

Natarajan describes a technique for providing automatic event notification of changing network conditions to network elements in an adaptive, feedback-based data network. Natarajan discloses a policy engine 254, which is a decision-making component of the feedback-based adaptive network. (See Natarajan, col. 14, lines 5-9; Fig. 5C). The policy engine includes various plug-in policy modules 254a-254e. Each of the plug-in policy modules includes policies that are used to perform various actions. (See Natarajan, col. 14, lines 33-67). Thus, Natarajan discloses a system with policies that are included in modules of a policy engine.

Although Natarajan discloses the use of policies, Natarajan fails to disclose determining conflicts between the policies, adding non-conflicting policies into a merged policy set, and resolving conflicting policies, as recited in Claim 1. Natarajan also fails to disclose the way in which conflicting policies are resolved by the method of Claim 1. Specifically, the method of Claim 1 includes “resolving conflicting policies by selecting a preferred policy and including the preferred policy in the merged policy set”. Natarajan does not disclose a “preferred policy” and the use of such policy to resolve conflicts. Due to these deficiencies, Natarajan fails to disclose the elements in Claim 1 and cannot be used to substantiate a rejection under 35 U.S.C. 102(e).

The March 31, 2004 Office Action argues that in Natarajan, conflict is an event, that determining a conflict is done by monitoring/detecting an event, and that resolving a conflict is done by making a decision and taking a correct action. (See March 31, 2004 Office Action, pages 8-9, para. 22). However, nothing in Natarajan discloses or suggests that a conflict is an event. Thus, the argument set forth in the March 31, 2004 Office Action can only be supported by improperly using materials in the Appellant’s application. For the purpose of argument only, even assuming that the argument regarding the Natarajan reference stated in the March 31, 2004 Office Action can be properly made, Natarajan still fails to disclose the way in which conflicting policies are resolved by the method of Claim 1.

Thus, for at least the reasons stated above, Appellant respectfully submits that Claim 1 is not anticipated by Natarajan and is allowable. Given that Claims

2-13 depend from Claim 1, Appellant respectfully submits that Claims 2-13 are also allowable over Natarajan for at least the same reasons.

Accordingly, Appellant respectfully submits that Claims 1-13 are allowable over Natarajan and that the rejection of Claims 1-13 should be withdrawn.

2. Claims 14-19

Claim 14 recites a method comprising:

- identifying multiple policies to be combined together;
- determining whether any conflicts exist between the multiple policies;
- adding non-conflicting policies to a merged policy set;
- arranging conflicting policies in order from global policies to local policies;
- determining an intersection of the conflicting policies; and
- selecting a preferred policy based on the policy closest to the local policies and within the intersection of the conflicting policies.

As discussed above with respect to Claim 1, Natarajan fails to disclose determining conflicts between policies, adding non-conflicting policies into a merged policy set, and using a preferred policy to resolve conflicts. Additionally, Natarajan fails to disclose the way in which conflicting policies are resolved by the method of Claim 14. In particular, Claim 14 recites “arranging conflicting policies in order from global policies to local policies”, “determining an intersection of the conflicting policies”, and “selecting a preferred policy based on the policy closest to the local policies and within the intersection of the conflicting

policies”. Natarajan does not disclose arranging conflicting policies or selecting a preferred policy in the manner recited in Claim 14.

The March 31, 2004 Office Action argues that in Natarajan, arranging policies means deleting, plug-in, and updating policies. (See March 31, 2004 Office Action, page 9, para. 22). Natarajan discloses that policy modules and policies can be added and deleted. (See Natarajan, col. 14, lines 33-50).

However, nothing in Natarajan discloses the scope associated with the policies or the arrangement of those policies in accordance with their scope. Thus, even though Natarajan discloses adding and deleting of policies, Natarajan fails to disclose arranging conflicting policies “in order from global policies to local policies”, as recited in Claim 14.

For at least the reasons stated above, Appellant respectfully submits that Claim 14 is not anticipated by Natarajan and is allowable. Given that Claims 15-19 depend from Claim 14, Appellant respectfully submits that Claims 15-19 are also allowable over Natarajan for at least the same reasons.

Accordingly, Appellant respectfully submits that Claims 14-19 are allowable over Natarajan and that the rejection of Claims 14-19 should be withdrawn.

3. Claims 20-26

Claim 20 recites an apparatus comprising:

a storage device configured to store a merged policy set; and
a management module coupled to the storage device and configured to identify multiple policies to be merged into the merged policy set, wherein the management module adds non-conflicting policies to the merged policy set and resolves conflicts among conflicting policies.

As stated above, Natarajan describes a policy engine and plug-in policy modules having various policies, but fails to disclose determining conflicts between policies, adding non-conflicting policies into a merged policy set, and resolving conflicting policies. Thus, Natarajan does not disclose the management module recited in Claim 20, which is configured to perform these steps. For at least these reasons, Appellant respectfully submits that Claim 20 is not anticipated by Natarajan and is allowable. Given that Claims 21-26 depend from Claim 20, Appellant respectfully submits that Claims 21-26 are also allowable over Natarajan for at least the same reasons.

Accordingly, Appellant respectfully submits that Claims 20-26 are allowable over Natarajan and that the rejection of Claims 20-26 should be withdrawn.

4. Claims 27-29

Claim 27 recites:

One or more computer-readable media having stored thereon a computer program that, when executed by one or more processors, causes the one or more processors to:

- identify multiple policies to be combined together in a merged policy set;
- determine whether any conflicts exist between the multiple policies;
- include non-conflicting policies in the merged policy set;
- resolve conflicting policies by:
 - selecting an allowed policy range;
 - selecting a preferred policy range that is included in the allowed policy range; and
 - including the preferred policy range in the merged policy set.

As discussed above, Natarajan fails to disclose determining conflicts between policies, adding non-conflicting policies into a merged policy set, and resolving conflicting policies. Natarajan also fails to disclose the steps to resolve conflicting policies, as recited in Claim 27. In particular, Claim 27 recites “selecting an allowed policy range”, “selecting a preferred policy range that is included in the allowed policy range”, and “including the preferred policy range in the merged policy set”. Natarajan does not disclose an allowed policy range, a preferred policy range, or the use of these ranges to resolve conflicting policies. Thus, for the reasons stated above, Appellant respectfully submits that Claim 27 is not anticipated by Natarajan and is allowable. Given that Claims 28-29 depend from Claim 27, Appellant respectfully submits that Claims 28-29 are also allowable over Natarajan for at least the same reasons.


Accordingly, Appellant respectfully submits that Claims 27-29 are allowable over Natarajan and that the rejection of Claims 27-29 should be withdrawn.

Conclusion

The Office's basis and supporting rationale for the §102(e) rejection is not supported by Natarajan. Appellant respectfully requests that the rejections be overturned and that pending claims 1-29 be allowed to issue.

Respectfully Submitted,

Dated: 12-28-04

By: 
Steven R. Sponseller
Lee & Hayes, PLLC
Reg. No. 39,384
(509) 324-9256 ext. 250



(8) Appendix of Appealed Claims

1. A method comprising:
identifying multiple policies to be combined together;
determining whether any conflicts exist between the multiple policies;
adding non-conflicting policies to a merged policy set; and
resolving conflicting policies by selecting a preferred policy and including the preferred policy in the merged policy set.
2. A method as recited in claim 1 wherein the preferred policy represents a preferred range of values associated with at least one of the multiple policies.
3. A method as recited in claim 1 further comprising determining an allowed range of values associated with the multiple policies.
4. A method as recited in claim 1 wherein the preferred policy is contained within an allowed range of values associated with the multiple policies.
5. A method as recited in claim 1 further comprising deleting policies that are outside an allowed range of values, wherein the allowed range of values is associated with the multiple policies.

6. A method as recited in claim 1 wherein selecting a preferred policy includes:

arranging conflicting policy templates in order from global policies to local policies;

determining an intersection of the conflicting policy templates; and

selecting the preferred policy template based on the intersection of the conflicting policy templates.

7. A method as recited in claim 1 wherein selecting a preferred policy includes:

arranging conflicting policy templates in order from global policies to local policies;

determining an intersection of the conflicting policy templates; and

selecting the preferred policy template based on the policy template closest to the local policies and within the intersection of the conflicting policy templates.

8. A method as recited in claim 1 wherein the policies are event-handling policies.

9. A method as recited in claim 1 wherein the policies define how a device is to be configured.

10. A method as recited in claim 1 wherein the policies identify the types of events that are provided to each device.

11. A method as recited in claim 1 wherein resolving conflicting policies includes comparing related policies individually.

12. A method as recited in claim 1 wherein the method is implemented by a management module.

13. One or more computer-readable memories containing a computer program that is executable by a processor to perform the method recited in claim 1.

14. A method comprising:
identifying multiple policies to be combined together;
determining whether any conflicts exist between the multiple policies;
adding non-conflicting policies to a merged policy set;
arranging conflicting policies in order from global policies to local policies;
determining an intersection of the conflicting policies; and
selecting a preferred policy based on the policy closest to the local policies and within the intersection of the conflicting policies.

15. A method as recited in claim 14 wherein the preferred policy represents a preferred range of values associated with at least one of the multiple policies.

16. A method as recited in claim 15 further comprising deleting policies that are outside the preferred range of values.

17. A method as recited in claim 14 wherein the policies are event-handling policies.

18. A method as recited in claim 14 wherein the policies determine how an associated device is configured.

19. One or more computer-readable memories containing a computer program that is executable by a processor to perform the method recited in claim 14.

20. An apparatus comprising:
a storage device configured to store a merged policy set; and
a management module coupled to the storage device and configured to identify multiple policies to be merged into the merged policy set, wherein the management module adds non-conflicting policies to the merged policy set and resolves conflicts among conflicting policies.

21. An apparatus as recited in claim 20 wherein resolving conflicts among conflicting policies includes selecting a preferred policy and including the preferred policy in the merged policy set.

22. An apparatus as recited in claim 20 wherein resolving conflicts among conflicting policies includes arranging conflicting policy templates in order from global policies to local policies, determining the intersection of the conflicting policy templates, and selecting the preferred policy template based on the policy template that is closest to the local policies and within the intersection of the conflicting policy templates.

23. An apparatus as recited in claim 20 wherein the management module is part of an enterprise computing system.

24. An apparatus as recited in claim 20 wherein the management module receives event data generated by a plurality of event providers coupled to the management module.

25. An apparatus as recited in claim 20 wherein the multiple policies define how devices are configured in an enterprise.

26. An apparatus as recited in claim 20 wherein the multiple policies identify the types of events that are provided to each device in an enterprise.

27. One or more computer-readable media having stored thereon a computer program that, when executed by one or more processors, causes the one or more processors to:

- identify multiple policies to be combined together in a merged policy set;

- determine whether any conflicts exist between the multiple policies;

- include non-conflicting policies in the merged policy set;

- resolve conflicting policies by:

 - selecting an allowed policy range;

 - selecting a preferred policy range that is included in the allowed policy range; and

 - including the preferred policy range in the merged policy set.

28. One or more computer-readable media as recited in claim 27 wherein the policies are event-handling policies.

29. One or more computer-readable media as recited in claim 27 wherein the policies identify the types of events that are provided to devices in an enterprise.